

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

SEP - 8 2005

FILED  
CLERK'S OFFICE

**DOCKET NO. 1657**

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***IN RE VIOXX PRODUCTS LIABILITY LITIGATION***

***(SEE ATTACHED SCHEDULE)***

***CONDITIONAL TRANSFER ORDER (CTO-23)***

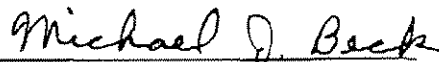
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,491 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Michael J. Beck  
Clerk of the Panel

**SCHEDULE CTO-23 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>ALABAMA MIDDLE</b>	
ALM 2 05-702	Glendora Turner, etc. v. Merck & Co., Inc., et al.
<b>ALABAMA NORTHERN</b>	
ALN 2 05-1633	Steve Widmar, Jr., et al. v. Merck & Co., Inc.
ALN 4 05-1616	Helen McMichen, et al. v. Merck & Co., Inc.
<b>ALABAMA SOUTHERN</b>	
ALS 1 05-470	Margaret Hadley, et al. v. Merck & Co., Inc., et al.
<b>ARKANSAS EASTERN</b>	
ARE 2 05-185	Stoney Walton v. Merck & Co., Inc.
<b>CALIFORNIA CENTRAL</b>	
CAC 2 05-5446	Ronnie Penfold v. Merck & Co., Inc.
<b>CALIFORNIA NORTHERN</b>	
CAN 3 05-3130	Ismael Lopez, et al. v. Merck & Co., Inc.
CAN 3 05-3131	Giovanni Cortese v. Merck & Co., Inc.
CAN 3 05-3188	Dennis Parks, et al. v. Merck & Co., Inc.
CAN 3 05-3205	Sandra J. Springs v. Merck & Co., Inc., et al.
<b>COLORADO</b>	
CO 1 05-1436	Gail Janet Lagomarsino-Burmmett v. Merck & Co., Inc.
<b>CONNECTICUT</b>	
CT 3 05-1198	Don Hanrahan v. Merck & Co., Inc.
<b>FLORIDA SOUTHERN</b>	
FLS 1 05-22179	James E. Sprinkle, et al. v. Merck & Co., Inc.
<b>IOWA NORTHERN</b>	
IAN 1 05-132	Sherrill Herke v. Merck & Co., Inc.
<b>IDAHO</b>	
ID 1 05-312	Charles Piquet v. Merck & Co., Inc.
<b>ILLINOIS NORTHERN</b>	
ILN 1 05-4556	Patricia Bennett v. Merck & Co., Inc.
<b>ILLINOIS SOUTHERN</b>	
ILS 3 05-526	Gary Auslander v. Merck & Co., Inc., et al.
ILS 3 05-527	Myrtle Bohannon v. Merck & Co., Inc., et al.
ILS 3 05-528	Laurence Madden v. Merck & Co., Inc.
ILS 3 05-529	John G. Smith, Jr. v. Merck & Co., Inc., et al.
ILS 3 05-548	Bridgette Bradley v. Merck & Co., Inc.
ILS 3 05-549	Mary A. Koch v. Merck & Co., Inc.
ILS 3 05-550	Larry King v. Merck & Co., Inc., et al.
ILS 3 05-557	Arhonda Hoffinan v. Merck & Co., Inc.
ILS 3 05-558	David Green v. Merck & Co., Inc.
ILS 3 05-559	Kelvin Handy v. Merck & Co., Inc.

## SCHEDULE CTO-23 TAG-ALONG ACTIONS (MDL-1657)

PAGE 2 of 4

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ILS 3 05-560	Mae Bess Hale v. Merck & Co., Inc.
ILS 3 05-561	David Spiegelberg v. Merck & Co., Inc.
ILS 3 05-562	Clara Kirkendall v. Merck & Co., Inc., et al.
ILS 3 05-563	Mary Hardin v. Merck & Co., Inc., et al.
ILS 3 05-564	Steven Mitchell v. Merck & Co., Inc.
ILS 3 05-565	Paul Lucas v. Merck & Co., Inc.
ILS 3 05-566	Margaret Hughes v. Merck & Co., Inc., et al.
ILS 3 05-567	Bettye Harris v. Merck & Co., Inc.
ILS 3 05-568	Betty Belue v. Merck & Co., Inc.
ILS 3 05-569	Mary Price v. Merck & Co., Inc.
 INDIANA NORTHERN	
INN 3 05-448	Roger Weissmann, et al. v. Merck & Co., Inc.
INN 3 05-449	Phyllis Ranschaert v. Merck & Co., Inc.
INN 3 05-450	Bernie Harlan v. Merck & Co., Inc.
INN 3 05-451	Thomas J. Lustik, et al. v. Merck & Co., Inc.
 KANSAS	
KS 2 05-2334	Nona Conyers v. Merck & Co., Inc.
KS 2 05-2335	Elaine Coppenbarger v. Merck & Co., Inc., et al.
KS 5 05-4090	Alan Hewitt v. Merck & Co., Inc.
 KENTUCKY WESTERN	
KYW 1 05-112	Walter Glenn v. Merck & Co., Inc., et al.
 LOUISIANA MIDDLE	
LAM 3 05-1003	Brenda Deiter v. Merck & Co., Inc.
LAM 3 05-1009	Thomas Gridley v. Merck & Co., Inc.
 LOUISIANA WESTERN	
LAW 3 05-1444	Mary Katherine Brady, et al. v. Merck & Co., Inc.
LAW 5 05-1409	Connie Hankins, et al. v. Merck & Co., Inc.
 MARYLAND	
MD 1 05-2074	Lisa Gray v. Merck & Co., Inc.
MD 1 05-2245	William Edris Evans v. Merck & Co., Inc.
 MINNESOTA	
MN 0 05-1630	Jimmy Gould v. Merck & Co., Inc.
MN 0 05-1641	T.J. Power, etc. v. Merck & Co., Inc.
MN 0 05-1642	Salvatore Randazzo v. Merck & Co., Inc.
MN 0 05-1643	Ralph C. Pomeroy v. Merck & Co., Inc.
MN 0 05-1644	Gerald W. Norback v. Merck & Co., Inc.
MN 0 05-1646	David W. Burnham v. Merck & Co., Inc.
MN 0 05-1647	Russell R. Keefer v. Merck & Co., Inc.
MN 0 05-1648	Brian F. Vaughn v. Merck & Co., Inc.
MN 0 05-1649	Alice H. Bolton v. Merck & Co., Inc.
MN 0 05-1650	Helen M. Atemborski v. Merck & Co., Inc.
MN 0 05-1651	Patricia J. Rivera v. Merck & Co., Inc.
 MISSOURI EASTERN	
MOE 4 05-1165	Antonia Albert v. Merck & Co., Inc.
MOE 4 05-1166	Francis Best v. Merck & Co., Inc.
MOE 4 05-1167	Richard D. Kueber v. Merck & Co., Inc.
MOE 4 05-1168	Loretta Bates v. Merck & Co., Inc.
MOE 4 05-1169	Nathan Yopp, Sr. v. Merck & Co., Inc.
MOE 4 05-1170	Edward Evans v. Merck & Co., Inc.

## SCHEDULE CTO-23 TAG-ALONG ACTIONS (MDL-1657)

PAGE 3 of 4

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MOE 4 05-1197	Carol Souders v. Merck & Co., Inc.
MOE 4 05-1200	Kenneth Hohlt, Jr. v. Merck & Co., Inc.
MOE 4 05-1267	Delores Beaver v. Merck & Co., Inc.
 MISSOURI WESTERN	
MOW 4 05-696	William D. Glenn, et al. v. Merck & Co., Inc.
 MISSISSIPPI NORTHERN	
MSN 1 05-190	Shirley Foster v. Merck & Co., Inc., et al.
MSN 2 05-154	Lorene Sparks v. Merck & Co., Inc., et al.
MSN 2 05-155	Larry Aaron v. Merck & Co., Inc., et al.
MSN 2 05-156	Lee Dawkins v. Merck & Co., Inc., et al.
MSN 2 05-157	Doretha Banks v. Merck & Co., Inc., et al.
 MONTANA	
MT 9 05-128	Kevin Allen v. Merck & Co., Inc.
 NORTH CAROLINA EASTERN	
NCE 5 05-520	Richard Gaddie v. Merck & Co., Inc.
 NORTH DAKOTA	
ND 3 05-78	Lorn Campbell v. Merck & Co., Inc.
 NEBRASKA	
NE 4 05-3189	Jon Brunkhorst v. Merck & Co., Inc.
NE 8 05-366	Joann P. Howe, etc. v. Merck & Co., Inc.
 NEW JERSEY	
NJ 3 05-3728	Wanda Cole, et al. v. Merck & Co., Inc.
NJ 3 05-3778	Theresa Ducham, et al. v. Merck & Co., Inc.
NJ 3 05-3779	Anthony Krowicki v. Merck & Co., Inc.
NJ 3 05-3796	Christie Anderson v. Merck & Co., Inc.
 NEVADA	
NV 2 05-627	Daniel Morrison, et al. v. Merck & Co., Inc., et al.
 NEW YORK NORTHERN	
NYN 1 05-981	Doreen J. Maxwell v. Merck & Co., Inc.
 NEW YORK SOUTHERN	
NYS 1 05-6932	Norma Tio v. Merck & Co., Inc.
NYS 1 05-6958	June Tauber Golden, et al. v. Loren Martin Fishman, M.D., et al.,
NYS 1 05-7084	Ashraf Ahmed, et al. v. Merck & Co., Inc.
NYS 1 05-7085	Carlota Bajana, et al. v. Merck & Co., Inc.
 OHIO NORTHERN	
OHN 1 05-1875	Jason Ross v. Merck & Co., Inc.
OHN 1 05-1958	Patricia Workman, et al. v. Merck & Co., Inc.
 OKLAHOMA WESTERN	
OKW 5 05-871	Mary A. Bruch, et al. v. Merck & Co., Inc.
 OREGON	
OR 3 05-1228	Cheryl Edwards v. Merck & Co., Inc.
 PENNSYLVANIA EASTERN	
PAE 2 05-4090	- William Hnatuk, et al. v. Merck & Co., Inc., et al.

## SCHEDULE CTO-23 TAG-ALONG ACTIONS (MDL-1657)

PAGE 4 of 4

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
PAE 2 05-4103	Klaus Hofmann, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4237	Mark Justus, et al. v. Merck & Co., Inc., et al.
PAE 2 05-4238	Sherrie Hedden, etc. v. Merck & Co., Inc., et al.
PAE 2 05-4239	Amelia A. Wilson, et al. v. Merck & Co., Inc., et al.
 PENNSYLVANIA WESTERN	
PAW 2 05-1073	Renee M. Bernabe v. Merck & Co., Inc.
 RHODE ISLAND	
RI 1 05-331	Stephen Moreau v. Merck & Co., Inc.
 SOUTH DAKOTA	
SD 1 05-1026	Ruth Grotjohn v. Merck & Co., Inc.
SD 1 05-1027	Gerald Sanborn v. Merck & Co., Inc.
SD 1 05-1028	Charles Mardian v. Merck & Co., Inc.
SD 1 05-1029	Jerry Hansen v. Merck & Co., Inc.
SD 1 05-1030	Richard Wolf v. Merck & Co., Inc.
SD 1 05-1031	Gary Ofstad v. Merck & Co., Inc.
SD 1 05-1032	John Shaver v. Merck & Co., Inc.
SD 1 05-1033	Steve Klima v. Merck & Co., Inc.
SD 1 05-1034	Alvin Dexter v. Merck & Co., Inc.
 TENNESSEE EASTERN	
TNE 3 05-381	Steven R. Chapman, et al. v. Merck & Co., Inc.
 TENNESSEE MIDDLE	
TNM 2 05-71	Joyce Duke, et al. v. Merck & Co., Inc.
 TENNESSEE WESTERN	
TNW 1 05-1203	Phillip Vernon v. Merck & Co., Inc.
 TEXAS EASTERN	
TXE 2 05-351	Brenda DeLoach, et al. v. Merck & Co., Inc.
TXE 2 05-353	Richard L. Dutton v. Merck & Co., Inc.
 TEXAS NORTHERN	
TXN 2 05-212	Audelia Serna, etc. v. Merck & Co., Inc.
TXN 3 05-1504	Linda Powell v. Merck & Co., Inc.
 TEXAS SOUTHERN	
TXS 2 05-375	Velma Byrd, etc. v. Merck & Co., Inc.
TXS 5 05-164	Rosa Reyes, et al. v. Merck & Co., Inc., et al.
 UTAH	
UT 1 05-100	Marilyn Nestman v. Merck & Co., Inc.
UT 2 05-636	Clifton E. Allenbach, et al. v. Merck & Co., Inc.
 WASHINGTON WESTERN	
WAW 2 05-1323	Ronald Forrest v. Merck & Co., Inc.
 WEST VIRGINIA SOUTHERN	
WVS 2 05-596	Terry Kelly v. Merck & Co., Inc.
 WYOMING	
WY 2 05-215	James R. Pope v. Merck & Co., Inc.